srp.

HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 805 OF 2007.

Vithu Kalya Govari. ..Petitioner.

Versus.

State of Maharashtra & Ors. ..Respondents.

S. G. Surana for the petitioner.

Mr. C. R. Sonawane A.G.P. for the State.

CORAM: S. B. MHASE &
R.S.MOHITE, JJ.

DATE: JUNE 26, 2007.

P.C.

1. Heard both sides.

2. It is unfortunate that inspite of the lands of the petitioners having been acquired by the Government and the reference under section 28A(3) having been decided in favour of the petitioners, the enhanced amount of the compensation has not been paid by the Government. It is further very painful that even though the petitioners have filed execution proceedings before the Civil Judge, the Civil Judge has not taken proper steps to recover the amount from the Government and to pay it to the petitioners in the pending execution proceedings. We, therefore, direct

the Civil Judge, Senior Division, Raigad that the execution proceedings filed by the aforesaid petitioners shall be disposed of as expeditiously as possible, without giving undue time to the Government for depositing the money. If the Government is taking undue time and trying to prolong the execution proceedings, the Civil Judge shall come forward to take the appropriate steps to recover the amount from the Collector and Land Acquisition Officer. With these directions the petition is disposed of.

3. We hope that the Civil Judge, Senior Division, Raigad will try to dispose of the execution proceeding filed by the petitioners within a period of 12 weeks from today.

(R.S.MOHITE, J.) **(S.B.MHASE, J.)**